

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

AXACT (PVT), LTD.,

Plaintiff,

v.

STUDENT NETWORK RESOURCES, INC.
STUDENT NETWORK RESOURCES, LLC.,
and ROSS COHEN.

Defendants.

Civil Action No. 07-5491 (FLW)

REVISED ORDER

RECEIVED

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AT 8:30 M
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THIS MATTER having been opened to the Court by Peter L. Skolnik, Esq., counsel for Defendants-Counterclaimants Student Network Resources, Inc., Student Network Resources, LLC and Ross Cohen (collectively "Defendants" or "SNR") on a motion for default judgment; it appearing that the Complaint in this action having been served on November 4, 2007, and voluntarily withdrawn and dismissed without prejudice on April 4, 2008; and counterclaims in this action having been duly served on plaintiff-counterclaim defendant Axact (Pvt.). Ltd. ("Plaintiff" or "Axact") on February 25, 2008, and Axact having failed to plead or otherwise defend the counterclaims in this action, and said default having been duly entered on April 22, 2008; the Court having considered the motion and the Declarations of Peter L. Skolnik and Ross Cohen in support of default judgment pursuant to Fed. R. Civ. P. 78, and there being no opposition thereto; for the reasons stated in the Opinion filed on even date, and for good cause shown;

IT IS on this 5th day of January, 2009.

ORDERED that Defendants' Motion for Default Judgment is **GRANTED**; and it is further

ORDERED that Judgment shall be entered for statutory damages on Defendants' copyright claim in the amount of \$300,000; and it is further

ORDERED that Judgment shall be entered for attorney's fees with respect to Defendants' copyright claim in the amount of \$36,720.40; and it is further

ORDERED that Judgment shall be entered in the amount of \$500 in compensatory damages, plus \$350,000 in punitive damages, for Axact's violations of the Lanham Act; New Jersey common law of unfair competition; tortious interference with Defendants' prospective economic advantage; and violation of the New Jersey Consumer Fraud Act; and it is further

ORDERED that Judgment shall be entered in the amount of \$843.25 in compensatory damages for Defendants' ascertainable loss, trebled to \$2,529.75 pursuant to N.J. S.A. 56:8-19; and it is further

DECLARED pursuant to § 512(f) of the Copyright Act, that Axact has misrepresented that material posted by Defendants infringed Axact's copyrights; and it is further

DECLARED that Defendants have not violated any copyrights owned by Axact; and it is further

ORDERED that Axact, those in privity with it and/or those with notice of the injunction, including any Internet search engines, Web hosts and domain-name registrars that are provided with notice of the injunction, shall be and hereby are enjoined (i) from publishing, distributing, selling and/or offering for sale copies of the works of SNR and others

that are subject to valid and subsisting copyrights, and/or (ii) from enabling or facilitating access to any or all websites/domains through which the Court has found that Axact engages in such acts of copyright infringement, including but not limited to the 555 term paper websites/domains listed below, as well as to any new Internet site/domain through which Axact engages in such acts of copyright infringement in the future. The prohibition on enabling or facilitating access in (ii) above requires: any Internet search engine to remove all enjoined sites/domains from its search index; any Web host to disable all enjoined sites/domains that it hosts; and any domain-name registrar to disable the domain name registrations of all enjoined domain names it has registered, and to prohibit the release of such domain names for transfer to another domain-name registrar.

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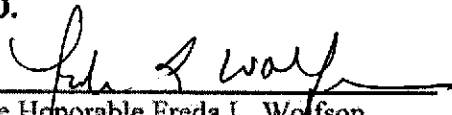
ORDERED (i) that the domain-name registrars GoDaddy.com and Dotster.com shall immediately transfer to Defendant Student Network Resources, Inc. all domain names included in the list above for which each of them serves as registrar; (ii) that Student Network Resources, Inc. shall thereupon be responsible for all costs associated with maintenance of the domain names so transferred; and (iii) that Student Network Resources, Inc. shall, upon its own election or upon request from GoDaddy.com and/or Dotster.com, re-register the transferred domain names with another domain-name registrar; and it is further

ORDERED that Axact, those in privity with it and/or those with notice of the injunction, including any Internet search engines, Web hosts and domain-name registrars

that are provided with notice of the injunction, shall be and hereby are enjoined (i) from falsely advertising and misrepresenting the nature, characteristics, qualities or geographical origin of Axact's goods and services in violation of the Lanham Act or the common law and to the detriment of SNR on Axact's academic term paper-writing sites/domains, on any other type of Internet site/domain, including any search engine, Web host or domain-name registrar to which Axact or any of Axact's agents submit any textual/visual content relating to academic paper sites/domains, in Axact's advertisements in various Internet venues, or elsewhere; (ii) from publishing or providing access to -- on PapersHelp.com and elsewhere -- fabricated reviews or false and misleading information about any Internet web sites/domains providing term paper or example research services, including but not limited to SNR's sites/domains and Axact's sites/domains, in violation of the Lanham Act or the common law and to the detriment of SNR; and (iii) from engaging in unfair competition with SNR in any manner, in violation of the Lanham Act and the common law and to the detriment of SNR; and it is further

ORDERED that Axact, those in privity with it and/or those with notice of the injunction, including any Internet search engines, Web hosts and domain-name registrars that are provided with notice of the injunction, shall be and hereby are enjoined from making or providing access to false and misleading representations and warranties regarding the quality and originality of Axact's products and services in violation of the Consumer Fraud Act; and it is further

ORDERED that this case is **CLOSED**.


The Honorable Freda L. Wolfson
United States District Judge